

F96000001255

TRANSMITTAL LETTER

TO: Qualification Tax Lien Section
Division of Corporations

RECEIVED 11 15 1974
11/15/74
*****70,000 *****70,000

SUBJECT: COMFORTEK CORPORATION
(Name of corporation - must include suffix)

Dear Sir or Madam:

The enclosed "Application by Foreign Corporation for Authorization to Transact Business in Florida", "Certificate of Existence", and check are submitted to register the above referenced foreign corporation to transact business in Florida.

Please return all correspondence concerning this matter to the following:

RALPH W. DANDEL, Esq.
(Name of Person)

O'CONNELL and ARONOWITZ
(Firm/Company)

100 State Street
(Address)

Albany, New York 12207
(City and Zip)

RECEIVED
CORPORATION
11/15/74

Should you need to call someone concerning this matter, please call:

Ralph W. Dandel, Esq. at (518) 462-5601
(Name of Person) (Area Code & Daytime Telephone Number)

COURIER ADDRESS:

Qualification/Tax Lien Sec
Division of Corporations
409 E. Gaines St
Tallahassee, FL 32399

MAILING ADDRESS:

Qualification/Tax Lien Section
Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314



Department of State

Memorandum Office of the General Counsel

TO: File

FROM: Marc W. Dunbar, Assistant General Counsel

DATE: March 8, 1996

RE: Comfortex Corporation

Based on a review of the file and the payment provided by this corporation, it is my recommendation that this file be closed and this corporation be qualified to do business. This corporation has paid all outstanding penalties (assessed at the statutory minimum amount of \$500 per year) and all outstanding fees and now wishes to be qualified to do business in this state.

MWD/mwd

FILED
SECRETARY OF STATE
MAR 12 1996

[illegible]

O'DONNELL AND ARONOWITZ
ATTORNEYS AT LAW
100 STATE STREET
ALBANY, NEW YORK 12202-1000
(518) 662-4601
FAX (518) 662-2670

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RECIPIENT

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DEPARTMENT OF STATE
OFFICE OF THE SECRETARY

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OF STATE

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 3. 支票的金额不得超过账户余额。

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Marc W. Dunbar, Esq.
Assistant General Counsel
Department of State
11-10, The Capitol
Tallahassee FL 32399-0250

Re: Comforce Corporation/Request for Penalty Reduction

Dear Mr. Dunbar:

This will confirm our conversation of today's date in which you agreed that in light of mitigating circumstances surrounding the failure of Comfortex Corporation to register to do business in the State of Florida, the Department of State would agree to reduce the penalty for late filing to the statutory minimum of \$500 per year. Accordingly, the total penalty due from Comfortex for two years is \$1,000. As we discussed, I will request my client to process this payment as soon as possible.

Thank you for your consideration in this matter.

Very truly yours,

O'CONNELL and ARONOWITZ

By: Ralph W. Bandel
Ralph W. Bandel

RWB:mk

cc: Scott Blaustein

[illegible]

(NAME) [REDACTED]
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138 Broadway
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 Mahatma Avenue, New York 12006-3110
 (516) 907-0024

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ANTHONY J. MURPHY, JR.
FRANCIS H. MURPHY
THOMAS J. MURPHY

● 本行 2017 年 12 月 31 日 2017 年 12 月 31 日 2017 年 12 月 31 日

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FEB 18 1996

DEPARTMENT OF STATE
OFFICE OF THE SECRETARY

Marc W. Dunbar, Esq.
Assistant General Counsel
Department of State
LL-10, The Capitol
Tallahassee FL 32399-0250

Re: ~~Comforce Corporation/Request for Penalty Reduction~~

Dear Mr. Dunbar:

This is in reply to your letter of February 8, 1996 relative to the above in which you state that Section 607.1502 (a copy of which you enclosed), Florida Statutes does not permit your office to waive penalties imposed as a result of conducting unauthorized business activities in the State of Florida. Based upon this provision, you indicate that Comfortex Corporation owes a penalty of \$2,000, which appears to be the maximum penalty under the statute.

I wish to respectfully call your attention to the fact that the statute provides for a penalty of "not less than \$500 or more than \$1,000" for violations. Based upon the following facts, I submit that imposition of a minimum fine in this case would be appropriate.

Comfortex's failure to obtain a Certificate of Authority from your office was totally inadvertent; the Company complied with all other necessary requirements to transact business in the State. The Company did not receive notice of its failure to obtain a Certificate of Authority until September, 1995 -- more than two years after it commenced its Florida operations and approximately a year and a half after filing its first Florida tax return. The

O'CONNELL AND ARONOWITZ

Page 2

February 13, 1996

Company has always been ready and willing to meet all State law requirements for doing business in Florida.

Under the circumstances, specifically the Company's good faith effort to comply with applicable law and the inequity of in effect making them pay additional penalties for the time it took for the State to inform them of non-compliance, it seems that this is certainly an appropriate case for imposition of the minimum penalty. Accordingly, on behalf of the Company, I would request that the penalty be reduced to \$1,000 which amount would be remitted promptly upon your acceptance of this proposal.

Thank you for your consideration.

Very truly yours,

O'CONNELL and ARONOWITZ

By: Ralph W. Bandel
Ralph W. Bandel

RWB:mk

cc: Scott Blaustein



FLORIDA DEPARTMENT OF STATE
Nancy H. Moulton
Secretary of State

8 February, 1996

Ralph W. Bandel, Esquire
O'Connell and Aronowitz
100 State Street
Albany, New York 12207-1885

Re: Request for Penalty Waiver


Dear Mr. Bandel:

The purpose of this letter is to advise you that the Department of State cannot waive the penalties imposed as a result of the unauthorized business activities in the State of Florida by Comfortex Corporation.

As of the date above, the total amount of penalties owed by this corporation is \$2,000.00. These penalties are pursuant to section 607.1502, Florida Statutes, a copy of which is enclosed for your reference. If litigation is necessary to collect these penalties, the corporation may also be liable for additional fees and costs associated with filing suit.

If you wish to resolve this matter, please direct your payment to my attention at the address below. If I have not received payment within thirty days, I will assume that you are not willing to resolve this matter without litigation and will proceed accordingly. If you have any questions regarding this correspondence, you may contact me at 904/414-5536.

Respectfully,


Marc W. Dunbar
Assistant General Counsel

MWD/sd

Enclosure

圖書分類法 分類 圖書 自由 出版

FAX: (518) 462-2670

THOMAS H B MURRAY
 PATRICIA M NEARMAN
 NEIL H RIVETTIN
 JAMES DANFORTH
 FRANK W WARDEN
 RICHARD R CHAFFY
 DEAN J THOMPSON
 SARAH WALTER BERN
 WILLIAM A FAYNEAL
 THOMAS J DE MEYER

GRAND PLAZA BUILDING
150 MANHATTAN STREET, SUITE 201
PLATTSMITH, NEW YORK 10001-6186
(516) 562-4000

SARATOGA SPRING, NEW YORK 12860-3110
(518)587-0425

SAVING 13 MONTHS
THAT'S THE REAL ADVANTAGE
OF THE W. W. HANSEN
FAMILY. 1. SAVING \$\$\$
2. BETTER SERVICE
3. MORE AWARENESS
4. MORE KNOWLEDGE
5. BETTER MATERIALS
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100. BETTER SERVICE

4. 實例 用 4 個字。

ANDREW T. McEVILLY, JR.
MAX (NORRIM)
FRANKLIN H. NIVERT
THOMAS J. MARIATA

[illegible]

DEPARTMENT OF STATE
OFFICE OF THE SECRETARY

Page 23

RWB:mk
Enc.
cc: Scott Blaustein

O'CONNELL AND ARONOWITZ

ATTORNEYS AT LAW

100 STATE STREET
ALBANY, NEW YORK 12207-1885
(518)462-3601
FAX: (518)462-2670

TRUMP PLAZA BUILDING
159 MARGARET STREET, SUITE 204
PLATTSMOUTH, NEW YORK 12901-0100
(518)562-1000

158 HURDWAY
SUITE 202
BARCLAYTOWN, NEW YORK 12808-3110
(518)587-0424

EDWARD J. O'CONNELL 1924-94
NANCY E. ARONOWITZ 1924-94
LESTER A. ARONOWITZ 1911-79

LEONARD H. MURRAY
JAMES M. DEARMAN
NED D. RIVETT
PETER HANZLER
ERWIN WAMER
REYNOLD K. LUTTS
DEAN J. THORNTON
NANCY WALKER RICH
WILLIAM A. FARREAU
THOMAS J. DUNN

DAVID J. DUMET
CHLOE THORNTON ARTHUR
DAVID W. HAMME
JAMES L. THORNTON
LEONARD LUTTS
JAMES A. LAMBERT
PAMELA A. WILSON
JIMMY J. THORNTON
KEITH J. DUNN
LINA THORNTON LUTTS
NANCY LUTTS THORNTON
KATHLEEN M. THORNTON
MURIEL L. LUTTS

ATTORNEYS
AT LAW

ANDREW T. McLELLY, JR.
MAN CHEN
FRANCIS H. McLELLY
JIMMY J. McLELLY

* ALSO ADMITTED TO NY BAR
** ALSO ADMITTED TO NY BAR
*** ALSO ADMITTED TO NY AND ME BAR

January 19, 1996

Doug Dickenson, Document Specialist
Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee FL 32314

Re: Comfortex Corporation
Your Reference No. W96000000759

Dear Mr. Dickenson:

This is in response to your letter of January 10, 1996, relative to the application of Comfortex Corporation for authorization to transact business in Florida. Comfortex has been conducting business in Florida since April, 1993. Prior to the commencement of its Florida operations, the company applied to the County for a Certificate of Doing Business and also registered with the Department of Revenue for tax purposes and the Department of Labor for unemployment insurance. It was the company's understanding that these actions constituted all that was necessary to enable it to properly transact its business in Florida.

The company was not aware of the requirement of Section 607.1501 of the Florida statutes relative to obtaining a Certificate of Authority from the Department of State and believed that its registrations with the County, Revenue and Labor Departments were all that was required. Moreover, since the company commenced its Florida operations, it has filed all required corporate tax returns and complied with all other Florida statutes. The company's first tax return was filed in March of 1994. Notwithstanding that the State has been aware that Comfortex has been conducting business in Florida at least since the company commenced filing corporate tax returns, if not earlier, the company did not receive notice until September of 1995

O'CONNELL AND ARONOWITZ

Page 2

January 19, 1996

of its failure to comply with Section 607.1501. Had the company been notified of this requirement promptly after its first tax return was filed, the company could have avoided a substantial amount of the penalty now sought to be imposed.

Under the circumstances and in light of the company's payment of all corporate taxes and compliance with other Florida law since it has been transacting business in the State of Florida, it is respectfully requested that the penalty fees due your office, which we note appear to be the maximum authorized by the statute, be waived or reduced to the minimum amount in this instance. We appreciate your consideration of what believe to be a reasonable request.

Very truly yours,

O'CONNELL and ARONOWITZ

By: Ralph W. Bandel
Ralph W. Bandel

RWB:cr

cc: Scott Blaustein



FLORIDA DEPARTMENT OF STATE

Sandra B. Northam
Secretary of State

January 10, 1996

RALPH W. BANDEL, ESQ.
O'CONNELL AND ARONOWITZ
100 STATE ST
ALBANY, NY 12207

SUBJECT: COMFORTEX CORPORATION
Ref. Number: WD0000000759

We have received your document for COMFORTEX CORPORATION and your check(s) totaling \$70.00. However, the document has not been filed and is being retained in this office for the following:

Pursuant to section 607.1502(4), 617.1502(4) or 608.502(4), Florida Statutes, this office collects a civil penalty of \$1000 for each year this entity transacted business or conducted its affairs in Florida prior to qualification and the appropriate annual report fees that would have been due this office had the entity qualified the year it began operations in this state. The amount due this office to cover both annual report and penalty fees is \$2400.00.

Enclosed please find a copy of section 607.1501 or 617.1501, Florida Statutes, which lists those activities that do not constitute transacting business or conducting affairs in this state. If after reviewing this section you determine erroneous information was inserted on the application, a sworn affidavit containing the following information must be submitted: 1.) a statement indicating erroneous information was listed on the application; and 2.) the correct date the corporation began transacting business or conducting its affairs in Florida prior to the year the application was submitted did not constitute transacting business or conducting affairs pursuant to section 607.1501 or 617.1501, Florida Statutes.

If you have any questions concerning the filing of your document, please call (904) 487-6094.

Doug Dickinson
Document Specialist

Letter Number: 296A00001236

APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1303, FLORIDA STATUTES, THE FOLLOWING IS
SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE
STATE OF FLORIDA:

1. Compulsory Corporation
(Name of corporation must include the word "INCORPORATED", "COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present)
2. New York
(State or country under the law of which it is incorporated)
3. 14-1111111
(ITI number, if applicable)
4. 6-1-86
(Date of incorporation)
5. "Perpetual"
(Duration: Your corp. will cease to exist or "perpetual")
6. April 1, 1993
(Date first transacted business in Florida (SEE SECTIONS 607.1301, 607.1302, AND 607.135, F.S.))
7. 23 Elm Street
Woburn, MA 01899
(Current mailing address)
8. Distribution of Products
(Purpose(s) of corporation authorized in home state or country to be carried out in the state of Florida)
9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box **NOT** acceptable)
Name: Christina Mott
General Manager
Compulsory Corporation
Office Address: 215 North Dixie, Ste A, B, & C
Melbourne, Florida, 32934
(Zip Code)
10. Registered agent's acceptance:
Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.
Christina Mott
(Registered agent's signature)
11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated

FILED
RECEIVED
DEC 12 1993
CLERK OF THE
SOUTH FLORIDA
COUNTY

12. Names and addresses of officers and/or directors. (Street address ONLY - P. O. Box NOT acceptable)

A. DIRECTORS (Street address only - P. O. Box NOT acceptable)

Chairman: Donald M. Skaserman

Address: 160 State Street Albany, NY 12207

Vice Chairman: _____

Address: _____

Director: Daniel M. Skaserman

Address: 160 State Street Albany, NY 12207

Director: Donald M. Skaserman

Address: 2101 Van Buren Road

Taylor, MI 48130 (See B. 10)

B. OFFICERS (Street address only - P. O. Box NOT acceptable)

President: Thomas H. Hark

Address: 23 Green Meadows Ln. Louisville, KY 40211

Vice President: Steven L. Hark

Address: 101 Hanger Street Port Hook, NY 12571

Secretary: n/a

Address: _____

Treasurer: Scott H. Hark

Address: 108 Duane Drive Albany, NY 12209

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13. [Signature]
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14. 5 Scott Hark Treasurer
(Typed or printed name and capacity of person signing application)

A) Continued ...

* Cory Bryson, Director
2101 Van Buren Road
Taylor, MI 48130

* John Timothy Dente
100 N. Main Street
PO Box 708
Catskill, NY 12017

* John Kroeger, Director
Empire Research Group
Executive Park East
PO Box 3539
Albany, NY 12203

State of New York
Department of State

ss:

I hereby certify, that the certificate of incorporation of COMFORTER CORPORATION was filed on 02/11/1986, with perpetual duration, and that I have made a diligent examination of the index of corporation papers filed in this Department for a certificate, order, or record of a dissolution, and upon such examination, I find no such certificate, order or record, and that so far as indicated by the records of this Department, such corporation is a subsisting corporation.

The Statement of Addresses and Directors is past due.

Witness my hand and the official seal
of the Department of State at the City
of Albany, this 21st day of December
one thousand nine hundred and
ninety-five.

Alexander F. Treadwell

Secretary of State

199512220012 51

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
65 HR 12 JAN 36